

### REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on December 21, 2004, the Examiner rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,662,969. Accordingly, Applicant respectfully submits an executed terminal disclaimer in compliance with 37 C.F.R. §1.321(c) and a corresponding fee in compliance with 37 C.F.R. §1.20(d) to overcome the rejection made by the Examiner. The Director is hereby authorized to charge payment of the fee associated with this communication to Deposit Account 50-0843.

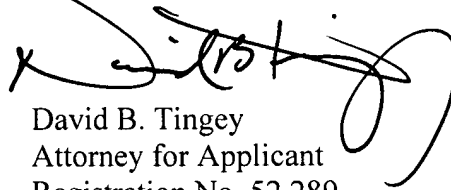
Accordingly, Applicant respectfully submits that the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant respectfully submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 21<sup>st</sup> day of March, 2005.

Respectfully submitted,



David B. Tingey  
Attorney for Applicant  
Registration No. 52,289

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 323-5986  
Facsimile: (801) 321-4893

DBT:lc  
816620